



Town of Longboat Key Town Commission

Town Hall
501 Bay Isles Road
Longboat Key, FL 34228
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WWW.LONGBOATKEY.ORG

- AGENDA - REGULAR MEETING

7:00 PM

November 1, 2010

Pledge of Public Conduct

- We may disagree, but we will be respectful of one another.
- We will direct all comments to issues.
- We will avoid personal attacks.

Call to Order and Pledge of Allegiance

Approval of Minutes

1. September 13, 2010 Regular Meeting; September 16, 2010 Special Meeting; September 27, 2010 Special Meeting (3:30 p.m.); September 27, 2010 Special Meeting (5:01 p.m.); October 4, 2010 Special Workshop Meeting (9:00 a.m.); and October 4, 2010 Regular Meeting Minutes

Committee Reports and Communications

Public to be Heard

2. Opportunity for Public to Address Town Commission

At each meeting the Town Commission sets aside a time for the public to address issues that are not on the agenda.

Consent Agenda

3. 2011 Town Commission Meeting Calendar

The proposed Town Commission Meeting Calendar for 2011 is being forwarded from the October 21, 2010 Regular Workshop Meeting for confirmation. Recommended Action: Approval of the Consent Agenda will approve the 2011 Town Commission Meeting Calendar.

4. Legislative Priorities

Each year the Town establishes legislative priorities for submittal to the Sarasota County Legislative Delegation, Manatee County Legislative Delegation, and the Manasota League of Cities. The Town Manager will present items that had been developed during the October 21, 2010 Regular Workshop Meeting for confirmation by the Commission. Recommended Action: Approval of the Consent Agenda will authorize transmittal of the Town's legislative priorities to the Manasota League of Cities, Sarasota County, and Manatee County Legislative Delegations.

5. Request from Longboat Key Garden Club Regarding Butterfly Garden Bricks

George Spoll, Mayor; Jim Brown, Vice-Mayor;
Lynn Larson, District 1; Dave Brenner, District 3; Bob Siekmann, District 5
Hal Lenobel, At-Large; Phill Younger, At-Large

At the October 21, 2010 Regular Workshop Meeting the Longboat Key Garden Club President requested permission to replace existing bricks in the Butterfly Garden with engraved bricks. This item is placed on the November 1, 2010 Regular Meeting Consent Agenda for Commission confirmation. Recommended Action: Approval of the Consent Agenda will formalize approval of the project.

The purpose of the Consent Agenda is to expedite those items on an agenda that appear to be of a routine nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Agenda by any member of the Town Commission without having to make a motion, receive a second, or submit to a vote; otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda is a vote of confirmation to the action noted in each item.

Ordinances - First Reading

6. Ordinance 2010-18, Providing for a Referendum Question for a Charter Amendment Regarding Term Limits as Applied to Partial Terms

At the April 15, 2010, Regular Workshop Meeting there was consensus for the Town Attorney to revise the draft ordinance to place a Referendum question on the March 2011 General Municipal Election ballot addressing term limits as applied to partial terms. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-18 to the December 6, 2010 Regular Meeting for second reading and public hearing.

7. Ordinance 2010-36, Elections, Providing for a Referendum Question for a Charter Amendment Regarding Preliminary Elections on the March 2011 Ballot

The Town Clerk and Town Attorney have drafted Ordinance 2010-36 to place a Charter referendum on the March 2011 General Election ballot pertaining to the requirement for a Preliminary Election. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-36 to the December 6, 2010 Regular Meeting for second reading and public hearing.

8. Ordinance 2010-37, Amending Chapter 34.44 Membership

The newly hired Fire Chief has expressed his interest in participating in a defined contribution plan. Allowing the Chief to convert from the defined benefit plan would reduce his pension cost from 46% to 16% of salary. Chapter 34 of the Town Code regarding Fire Pension needs to be modified to accommodate the Chief's request. A resolution providing for a budget transfer in the amount of approximately \$18,000 from Town Commission Contingency to establish the 401(a) account will be brought to the November 18, 2010 Regular Workshop Meeting. Recommended Action: Pending first reading and discussion, forward Ordinance 2010-37 to the December 6, 2010 Regular Meeting for second reading and public hearing.

Ordinances - First Reading and Public Hearing

9. Ordinance 2010-20, Amending Chapter 156, Sign Code

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board forwarded proposed Ordinance 2010-20 for Commission consideration. The P&Z Board recommends approval of the ordinance which provides for replacement of Chapter 156, Sign Code. The Town Commission held a Special Workshop Meeting on October 19, 2010 for discussion of the proposed revisions to the Sign Code and forwarded this item to the November 1, 2010 Regular Meeting for first reading and public hearing. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-20 to the November 18, 2010 Special Meeting for second reading and public hearing.

10. Ordinance 2010-23, Amending Chapter 98, Tree Code

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board forwarded Ordinance 2010-23 to the Commission for consideration. The P&Z Board recommends approval of the ordinance

which provides for amendments to Chapter 98, Tree Code. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-23 to the December 6, 2010 Regular Meeting for second reading and public hearing.

11. Ordinance 2010-30, Comprehensive Plan Amendment for 10-Year Potable Water Supply Work Plan

Ordinance 2010-30 provides for a Comprehensive Plan Amendment that revises the infrastructure element of the Town's Comprehensive Plan in support of a 10-year potable water supply plan. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-30 to the December 6, 2010 Regular Meeting for second reading and public hearing.

12. Ordinance 2010-35, Annual Capital Improvements Element (CIE) Comprehensive Plan Amendment

Ordinance 2010-35 adopts an amendment to the Comprehensive Plan, updates the Capital Improvements Element, and provides for transmittal of the 2010 CIE Annual Update. Recommended Action: Pending first reading, public hearing and discussion, forward Ordinance 2010-35 to the November 18, 2010 Special Meeting for second reading and public hearing.

Quasi-judicial - Ordinances - First Reading and Public Hearing

13. Quasi-judicial - Ordinance 2010-32, The Centre Shops, 5350 through 5390 Gulf of Mexico Drive, Outline Development Plan Amendment

The applicant, Centre Shops of Longboat Key, is requesting approval for an Outline Development Plan Amendment to modify the list of permitted commercial uses utilizing existing parking. Recommended Action: The Commission will base its decision on competent substantial evidence presented.

Ordinances - Second Reading and Public Hearing

14. Ordinance 2010-26 Budget Transfer in the Amount of \$208,815.49 Plus Accrued Interest from Beach Capital Improvements Fund to Beach Capital Projects Fund

The Finance Director is recommending a budget transfer to close a special revenue fund titled "Beach Capital Improvements" due to a lack of activity in the fund since 2008. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-26.

15. Ordinance 2010-33, Amending Section 30.01(E) Regarding Notice for Public Hearings

Ordinance 2010-33 amends Section 30.01(E) of the Town Code to provide consistency in required notice/advertisement for public hearings regarding various land use matters. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-33.

16. Ordinance 2010-34, Qualifying Schedule for Elections

Recent changes enacted by the Florida Legislature have prompted the Town Attorney and Town Clerk to review the Town's elections schedule to ensure compliance with the new requirements. Ordinance 2010-34 will update the Town Code for consistency with Florida Statutes. The Town Commission forwarded this Ordinance from the October 4, 2010 Regular Meeting for second reading and public hearing. Recommended Action: Pending second reading, public hearing and discussion, adopt Ordinance 2010-34.

Resolution and Public Hearing**17. Resolution 2010-28, Bayfront Park Recreation Center, 4052 Gulf of Mexico Drive, Comprehensive Plan Amendment**

At their September 21, 2010 Regular Meeting the Planning & Zoning (P&Z) Board recommended approval of Resolution 2010-28. The Resolution provides for transmittal of proposed changes to the Town's Comprehensive Plan related to the Future Land Use Map as well as authorized land uses of those parcels proposed for the Bayfront Park Recreation Center redevelopment to the Department of Community Affairs (DCA) and other regulatory agencies. The Town Commission forwarded Resolution 2010-28 from the October 21, 2010 Regular Workshop Meeting for formal action. Recommended Action: Pending public hearing and discussion, pass Resolution 2010-28.

Resolutions**18. Resolution 2010-41, Providing for Intent of Longboat Key Beach Erosion Control District A to Reimburse the Town for Capital Expenditures for Beach Project**

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-41 establishes that it is intended for District A to reimburse those capital expenditures. Recommended Action: The Town Commission will convene as Longboat Key Beach Erosion Control District A to take action on this item.

19. Resolution 2010-42, Providing for the Town to Obtain Reimbursement from Longboat Key Beach Erosion Control District A for Capital Expenditures for Beach Project

The Town will be expending certain costs associated with the 2011-2012 beach renourishment project that are deemed reimbursable governmental costs by the U.S. Department of the Treasury. Resolution 2010-42 provides the appropriate documentation needed for that reimbursement to occur. Recommended Action: Pending discussion, pass Resolution 2010-42.

20. Update Regarding the North End Beach Nourishment Project

The Town Manager will provide an update regarding the status of the North end beach nourishment project. Recommended Action: Pending discussion, provide direction to Manager.

Town Commission Comments**Town Attorney Comments****Town Manager Comments****Press to be Heard****Adjournment**

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 forty-eight (48) hours in advance of this proceeding. If you are hearing impaired, please call 941-373-7002.